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EXAMINER	
WILSON, ROBERT W	

ART UNIT	PAPER NUMBER
2619	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patent-ch@btlaw.com

Office Action Summary	Application No.	Applicant(s)	
	09/473,726	BRADD ET AL.	
	Examiner	Art Unit	
	ROBERT W. WILSON	2619	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 December 1999*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date. _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Referring to claim 1, what is meant by "said media gateway controller"? Is the applicant referring to "first media gateway controller" or "second media gateway controller"? What is meant by "said media gateway controllers"? Is the applicant referring to "first and second media gateway controllers? What is meant by "its corresponding gateway" Is the applicant referring to the first media gateway or the second media gateway"

Referring to claim 2, what is meant by "said media gateway controller"? Is the applicant referring to the "first media gateway controller" or the second media gateway controller"?

Referring to claim 6, what is meant by "gateway controllers"? Is the applicant referring to "first gateway controller or second gateway controller?"

Referring to claim 7 and 8 respectively, what is meant by "media gateway controller"? Is the applicant referring to the first media gateway controller or the second media gateway controller"?

Referring to claim 9, what is meant by "one for each of said gateway"? Is the applicant referring to the "first gateway" or the "second gateway" or both the "first and second gateways"? What is meant by "one for said first gateway "? what is meant by one for said second gateway"? What is meant by "said media gateway controller" ? Is applicant referring to the "first media gateway controller" or the "second media gateway controller"? What is meant by "its corresponding gateway"? What is meant by "said media gateway controllers"? Is the applicant referring to the "first or second media gateway controller"?

Referring to claim 11, what is meant by "media gateway controller"? Is the applicant referring to the "first or second media gateway controller"?

Referring to claim 12, what is meant by "said gateways" Is the applicant referring to the "first and second gateways"? What is meant by "said media gateway controller"? Is the applicant referring to "first or second media gateway controller"? What is meant by "its corresponding gateway"? Is the applicant referring to the first or second gateway? What is meant by "the controller"? Is the applicant referring to "first media gateway controller" or second media

gateway controller"? What is meant by " the gateway"? Is the applicant referring to the "first gateway or the second gateway"? What is meant by " said media gateway controller" ? Is the applicant referring to the "first or second media gateway controller"?

Referring to claim 13, what is meant by "said gateways"? Is applicant referring to media gateways?

Referring to claim 14, what is meant by "said media gateway and media gateway controller can send and receive communication in its own protocol"? Is its own protocol referring to the protocol from the media gateway or the media gateway controller"?

Referring to claim 15, what is meant by "said gateways"? Is applicant referring to the "first and second gateway"?

What is meant by "said media gateway"? Is applicant referring to " first media gateway and second media gateway"?

What is meant by "the gateway"? Is applicant referring to the first or the second gateway?

What is meant by "said media gateway controller"? Is applicant referring to "first media gateway controller or second media gateway controller?

Claim Objections

3. Claims 4, 7-8, 11, & 15 are objected to because of the following informalities:

4. Referring to claim 4, the examiner objects to the usage of the abbreviation "CCS7". The examiner requests that the applicant define the abbreviation in the claim limitation. Appropriate action is required.
5. Referring to claim 7, the examiner objects to the usage of the abbreviation "MGC". The examiner requests that the applicant define the abbreviation in the claim before using the abbreviation. Appropriate action is required.
6. Referring to claim 15, the examiner objects to the usage of "adapted to" because "adapted to" can be interpreted as intended use. The examiner requests that the applicant clarify that "adapted to" is a positive limitation of a claim limitation. Appropriate correction is required.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 1-6, 9, & 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Berg (U.S. Patent No.: 6,680,952) further in view of Jones (U.S. Patent No.: 6,141,341)

Referring to claim 1, Berg teaches: a communications network arrangement providing voice over IP or voice over ATM services (Figure 1 shows a communication arrangement per col. 4 lines 60 to col. 7 line 13) comprising:

A first gateway (110 per Fig 1 per col. 4 line 60 to col. 7 line 13) providing a first protocol (110 outputs DPNSS per col. 6 lines 60) and second gateway (120 per Fig 1 and per col. 4 line 60 to col. 7 line 13) and providing a second protocol (120 outputs ISDN per col. 6 line 60) and a gateway address translator (110 per Fig 1 and per col. 4 line 60 to col. 7 line 13) and second gateway (120 per Fig 1 and per col. 4 line 60 to col. 7 line 13) and provides messages between the gateways as virtual bearer functions (120 provides messages between 110 and 120 per Fig 1 which are virtual bearer functions per col. 4 line 10 to col. 7 line 13)

Berg does not expressly call for: first media gateway controller and second media gateway controller

Jones teaches: Gateways have controllers per col. 3 lines 3 to 34

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the controller of Jones to the first gateway and second gateway of Berg because a gateway requires a processor or controller to perform a method.

In addition Berg teaches"
Regarding claim 2, wherein gateway address translator comprises: gateway proxies one for each said gateway (protocol conversion or proxy per col. 6 lines 23 to 35) and virtual gateway controller (call routing and bear select associated with gateway and virtual gateway per col. 6 lines 23 to 35)

Regarding claim 3, wherein the communications between media gateway controllers is provided via signal network (140 & 142 per Fig 1 are signaling network)

Regarding claim 4, wherein the signal network comprises CCS7 (SS7 per col. 6 lines 32)

Regarding claim 5, wherein said gateway address translator comprises software provided in machine readable form on a storage medium (instructions for CPU stored main memory per col. 7 lines 14 to col. 8 line 54)

Regarding claim 6, wherein said gateway address translator comprises a software application running on one of said gateway controllers (instructions for CPU stored main memory per col. 7 lines 14 to col. 8 line 54 and there are a plurality of CPUs per col. 7 lines 17 to 25)

Referring to claim 9, Berg teaches: a gateway address translator for use in a communication network arrangement providing voice over IP or voice over ATM (120 per Fig 1 or gateway address translator per col. 4 lines 60 to col. 7 line 13) comprising:

A first gateway (110 per Fig 1 per col. 4 line 60 to col. 7 line 13) providing a first protocol (110 outputs DPNSS per col. 6 lines 60) and second gateway (120 per Fig 1 and per col. 4 line 60 to col. 7 line 13) and providing a second protocol (120 outputs ISDN per col. 6 line 60) and a gateway address translator (110 per Fig 1 and per col. 4 line 60 to col. 7 line 13) and second gateway (120 per Fig 1 and per col. 4 line 60 to col. 7 line 13) comprising gateway proxies one for each gateway and virtual gateway (120 provides protocol and message translation which inherently provides proxy between the gateways or virtual gateways per col. 4 line 60 to col. 7 line 13) wherein said gateway proxies provide a relay function for messaging between each said media gateway and its corresponding gateway and wherein said virtual gateways provide a virtual bearer function for messaging between the said media gateways (120 provides messages between 110 and 120 per Fig 1 which are virtual bearer functions per col. 4 line 10 to col. 7 line 13)

Berg does not expressly call for: first media gateway controller and second media gateway controller

Jones teaches: Gateways have controllers per col. 3 lines 3 to 34

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the controller of Jones to the first gateway and second gateway of Berg because a gateway requires a processor or controller to perform a method.

Referring to claim 12, Berg teaches: a method of providing voice over IP or voice over ATM services in a communication network arrangement (Figure 1 performs the method per col. 4 lines 60 to col. 7 line 13) comprising: A first gateway (110 per Fig 1 per col. 4 line 60 to col. 7 line 13) providing a first protocol (110 outputs DPNSS per col. 6 lines 60) and second gateway (120 per Fig 1 and per col. 4 line 60 to col. 7 line 13) and providing a second protocol (120 outputs ISDN per col. 6 line 60) the method comprising provisioning proxies of said gateways as to provide a relay function for messaging between each said media gateway and it corresponding gateway so as to provide a relay function for messaging between each said media gateway said message utilizising the protocol of gateway and virtual bearer function for enabling message between the first and second gateway (120 provides messages which are relayed between 110 and 120 with messages which are in DPNSS and ISDN protocol for virtual bearer function between 110 and 120 per Fig 1 per col. 4 line 10 to col. 7 line 13)

Berg does not expressly call for: first media gateway controller and second media gateway controller

Jones teaches: Gateways have controllers per col. 3 lines 3 to 34

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the controller of Jones to the first gateway and second gateway of Berg because a gateway requires a processor or controller to perform a method.

Referring to claim 13, Berg teaches: a method of interfacing media gateways (120 performs the method of interfacing 110 (first media gateway) with 150 (second media gateway) per Fig 1 and per col. 4 line 10 to col. 7 line 13) having different operating protocol (110 has DPNSS and 150 has IDS per col. 6 line 60 or different operating protocols) in a communication network arrangement (Figure1) providing VoIP (PSTN over IP per col. 4 line 35 to 37) or voice over ATM (PSTN over ATM per col. 4 lines 30 to 37) the method comprising creating software proxies of said gateways (120 per Figure executes one or more instructions in memory or software per col. 7 line 17 to col. 9 line 5 which creates messages between 110 and 150 which are protocol converted or proxies) of said gateways with which said mediate gateways communicate each in it respective operating protocol (110 per Fig 1 or first media gateway communications in DPNSS which is converted 120 into ISDN which communicates with 150 into 150s protocol per col. 7 line 17 to col. 9 line 5)

Berg does not expressly call for: media gateway controllers

Jones teaches: media gateway controllers (Each gateway has a controller per col. 3 lines 3 to 34)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the media gateway controller of Jones to the first gateway and second gateways of Berg because a gateway requires a processor or controller to perform a method.

Referring to claim 14, Berg teaches a communication network arrangement (Figure 1) providing voice over IP (PSTN over IP per col. 4 line 35 to 37) or voice over ATM (PSTN over ATM per col. 4 lines 30 to 37) and incorporating a plurality of media gateways (110 and 120 per Fig 1) there whereby voice call are set up over virtual channels in the network (voice call setup using SS7 via PSTN network which inherently sets up a virtual channel upon conversion in a packet network per col. 5 line 63 to col. 6 line 10) wherein said media gateways (110 and 150 per Fig 10 have different operating protocol (110 per Fig 1 or first media gateway communications in DPNSS which is converted 120 into ISDN which communicates with 150 per col. 7 line 17 to col. 9 line 5) and wherein communication between the media gateways are related via proxies where by said media gateway can send and receive communication in its own protocol (Communication between 110 (first media gateway) and 150 (second media gateway per Fig 1 is in DPNSS which is converted 120 into ISDN which communicates with 150 per col. 7 line 17 to col. 9 line 5 or each communicates via its own protocol)

Berg does not expressly call for: media gateway controllers

Jones teaches: media gateway controllers (Each gateway has a controller per col. 3 lines 3 to 34)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the media gateway controller of Jones to the first gateway and second gateways of Berg because a gateway requires a processor or controller to perform a method.

Referring to claim 15, software in machine readable form provided on a storage medium (120 per Fig 1 has instructions or software which are in readable form which executed on a CPU per col. 8 lines 14 to col. 9 line 5) and adapted to control deliver of voice over IP or voice over ATM services in a communications network arrangement (120 per Fig 1controls voice over IP or voice over ATM per col. 5 lines 21 to col. 6 line 9) comprising a

A first media gateway (110 per Fig 1 per col. 4 line 60 to col. 7 line 13) providing a first protocol (110 outputs DPNSS per col. 6 lines 60) and second media gateway (120 per Fig 1 and per col. 4 line 60 to col. 7 line 13) and providing a second protocol (150 outputs ISDN per col. 6 line 60)

The software providing means for provisioning proxies of said media gateways so as to provide a relay function for messaging between each said media gateway said messaging utilizing the protocol of the media gateway (protocol conversion which passes messages between the media gateways is one function which is performed per col. 6 lines 30 to 35) and means for providing virtual bearer function for enabling messaging between said media gateways (gateway sets up bearer selection between 110 and 150 per col. 6 lines 30 to 35)

Berg does not expressly call for: first media gateway controller and second media gateway controller

Jones teaches: media gateway controllers (Each gateway has a controller per col. 3 lines 3 to 34)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the media gateway controller of Jones to the first gateway and second gateways of Berg because a gateway requires a processor or controller to perform a method.

9. Claims 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berg

(U.S. Patent No.: 6,680,952) in view of Jones (U.S. Patent No.: 6,141,341) further in view of

Buhrke (U.S. Patent No: 5,231,631)

Referring to claim 7, the combination of Berg and Jones teach: the communication network arrangement as claimed in claim 1 and at least one media gateway controller.

The combination of Berg and Jones do not expressly call for: distributed controllers providing separate ingress and egress

Buhrke teaches: distributed controllers providing separate ingress and egress (ingress controller and egress controller which are separate terminal adapters per col. 2 lines 1 to 29)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the separate distributed egress and ingress controller of Buhrke in place of the single controller of the combination of Berg and Jones in order to increase throughput by utilizing parallel processing.
In addition Berg teaches:
Regarding claim 10, comprising software provided in machine readable form on a storage medium (instructions for CPU stored main memory per col. 7 lines 14 to col. 8 line 54)

10. Claims 8 & 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berg (U.S.

Patent No.: 6,680,952) in view of Jones (U.S. Patent No.: 6,141,341) in view of Buhrke (U.S.

Patent No: 5,231,631) further in view of Coffee (U.S. Patent No.: 6,931,111)

Referring to claim 8, the combination of Berg, Jones, and Buhrke teach: a communication arrangement of claim 7 and a media gateway controller.

The combination of Berg, Jones, and Buhrke do not expressly call for: gateway constituted by a softswitch

Coffee teaches: gateway constituted by a softswitch (media gateway is a softswitch per col. 7 line 17 to 31)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the softswitch capability of Coffee to the media gateway of the combination of Berg, Jones, and Buhrke because a softswitch implementation is a type of switch which is used to perform media translation and implementation via a softswitch will improve the performance of the media gateway.

In addition Berg teaches:
Regarding claim 11, and incorporated in a media gateway controller (col. 5 lines 15 to 20)

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERT W. WILSON whose telephone number is (571)272-3075. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on 571/272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert W Wilson/
Primary Examiner, Art Unit 2619

7/8/08
RWW